

THE CLAIMS

Claim Rejections under 35 U.S.C. §103(a)

Claims 1-14 were rejected under 35 U.S.C. §103(a) as being unpatenable over Bigham et al. (U.S. Patent No. 5,740,075) in view of Skinner, Sr. (U.S. Patent No. 5,355,4014). Applicant respectfully traverses this rejection. However, for purposes of compact prosecution, Applicant has amended the claims to further clarify Applicant's invention.

With regard to claim 1, it now recites, *inter alia*:

“A system for powering one or more devices in a fiber optic communication network, which transmits communication data between a telecommunications service provider and a remote user device, the system comprising: .

..

... a power source configured to supply an electrical supply voltage to power the optical network node, the power source comprising an alarm system configured to monitor the operation of the power source and transmit power source operation information to the telecommunications service provider.”

With the amendment, claim 1 now includes a limitation similar to the limitation of previous claim 12. Neither Bigham et al. nor Skinner, Sr. teach or suggest such a limitation. In the Examiner's most recent Office Action, the Examiner states:

“Regarding claims 12-13, Skinner teaches that a power supply (32) having a relay (34) to connect batteries (35) instead of main power connection (33) when the main power no longer appears at input connection (col. 5 line 56 through col. 6 line 10) such that it would have been obvious of Skinner in having means for monitoring the operation of the power source in order to operate the relay automatically.”

Applicant concedes that it would be obvious for the power source in Skinner to have some means for determining when the main power (33) no longer

appears at the input connection, so that the power source (32) can automatically trip relay (34) and connect the back-up batteries (35) to inverters (36). However, Skinner, Sr. clearly does not teach, *inter alia*, “. . . an alarm system configured to monitor the operation of the power source and transmit power source operation information to the telecommunications service provider.” (emphasis added). Bigham et al. also does not teach this limitation.

Hence, for these reasons and others, Applicant submits that claim 1, as amended, is patentable over Bigham et al. and Skinner, Sr. Claims 4-11 and 13 all depend directly or indirectly from claim 1 and are allowable as being directed to specific novel substitutes as well as by depending from allowable parent claims. For example, neither Bigham et al. nor Skinner, Sr. teach or suggest the limitation of “. . . one or more conducting mediums configured to connect the alarm system in the power source to the optical network node for relaying power source operation information to the telecommunications service provider over the fiber optic communication medium” as recited in claim 13.

Independent claim 14, as amended, is a method claim, which includes a similar limitation as claim 1. Thus, claim 14 is allowable for at least the same reasons as recited above for claim 1.

New Claims 15-26

New claims 15-26 have been added to claim additional novel aspects of the present invention. Applicant respectfully submits that new claims 15-26 are allowable over the prior art. In addition, Applicant submits that no new matter has been added by the addition of the new claims.

CONCLUSION

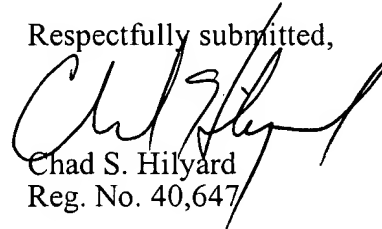
In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

Curtis L. Ashton et al.
Application No.: 09/200,631
Page 8

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Chad S. Hilyard', is written over the typed name and registration number.

Chad S. Hilyard
Reg. No. 40,647

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: (303) 571-4000
Fax: (303) 571-4321
CSH:nlm
DE 7057809 v1



VERSION WITH MARKINGS TO SHOW CHANGES MADE

1 1. (Amended) A system for powering one or more devices in a fiber
2 optic communication network, which transmits communication data between a
3 telecommunications service provider [**telephone company central office**] and a remote
4 user device, the system comprising:
5 an optical network node [**a digital subscriber line access multiplexer**]
6 for converting the communication data from a digital optical state to a digital electrical
7 state;
8 a fiber optic communication medium configured to transfer the
9 communication data between the telecommunications service provider [**telephone**
10 **central office**] and the optical network node; and [**digital subscriber line access**
11 **multiplexer;**]
12 a power source configured to supply an electrical supply voltage to power
13 the optical network node [**digital subscriber line access multiplexer**], the power source
14 comprising an alarm system configured to monitor the operation of the power source and
15 transmit power source operation information to the telecommunications service provider.
16 [**the power source having an AC power feed for providing power to the digital**
17 **subscriber line access multiplexer and a DC power feed for providing power to the**
18 **digital subscriber line access multiplexer when the AC power feed is not supplying**
19 **power to the digital subscriber line access multiplexer; and**
20 **an electrical conducting medium configured to conduct the electrical**
21 **supply voltage and the communication data from the digital subscriber line access**
22 **multiplexer to a network interface device in electrical communication with the**
23 **remote user device.]**

1 2. Please cancel without prejudice.

1 3. Please cancel without prejudice.

1 4. (Amended) The system of claim 1, wherein the power source is
2 located proximate to the optical network node [**digital subscriber line access**
3 **multiplexer**].

1 5. (Amended) The system of claim 1, wherein the power source is
2 remote from the optical network node [**digital subscriber line access multiplexer**] and
3 supplies power to a plurality of optical network nodes [**digital subscriber line access**
4 **multiplexers**].

1 6. (Amended) The system of claim 1, wherein the power source is
2 located proximate to the telecommunications service provider [**telephone company**
3 **central office**].

1 7. The system of claim 1, wherein the power source is located
2 proximate to a digital loop carrier.

1 8. The system of claim 1, wherein the remote user device is a
2 telephone.

1 9. The system of claim 1, wherein the remote user device is a
2 computer.

1 10. The system of claim 1, wherein the remote user device is a
2 television.

1 11. (Amended) The system of claim 17 [1], wherein the power source
2 comprises a plurality of rectifiers, a plurality of converters, a plurality of current limiters,
3 and a plurality of batteries configured to [**a**] supply the DC voltage to the power source
4 [**digital subscriber line access multiplexer**].

1 12. Please cancel without prejudice.

1 13. (Amended) The system of claim 1 [9], further comprising one or
2 more [a plurality of] conducting mediums configured to connect the alarm system in the
3 power source to the optical network node [digital subscriber line access multiplexer]
4 for relaying power source operation information to the telecommunications service
5 provider over the fiber optic communication medium. [telephone company central
6 office.]

1 14. (Twice Amended) A method for powering one or more devices in
2 a fiber optic communication network, which transmits communication data between a
3 telecommunications service provider [telephone company central office] and a user
4 device, the method comprising:

5 transferring digital communication data between the telecommunications
6 service provider and a optical network node;

7 converting the digital communication data from an optical state to an
8 electrical state using the optical network node; [a digital subscriber line access
9 multiplexer;

10 **transferring the communication data between the telephone central**
11 **office and the digital subscriber line access multiplexer;]**

12 transmitting an electrical supply voltage from a power source to the
13 optical network node; [configured to supply an electrical supply voltage to power the
14 digital subscriber line access multiplexer, the power source having an AC power
15 feed for providing power to the digital subscriber line access multiplexer and a DC
16 power feed for providing power to the digital subscriber line access multiplexer
17 when the AC power feed is not supplying power to the digital subscriber line access
18 multiplexer; and

19 conducting both the electrical supply voltage and the digital
20 communication data along a single electrical conducting medium from the digital
21 subscriber line access multiplexer to a network device in electrical communication
22 with the remote user device.]

23 an alarm system in the power source monitoring the operation of the
24 power source; and
25 transmitting power source operation information from the alarm system to
26 the telecommunications service provider.

1 15. (New) The system as recited in claim 1, wherein the optical
2 network node comprises an optical network unit (ONU).

1 16. (New) The system as recited in claim 1, wherein the optical
2 network node comprises a digital subscriber line access multiplexer (DSLAM).

1 17. (New) The system as recited in claim 1, wherein the power source
2 comprises an AC power feed for providing power to the power source during normal
3 operation and a DC power feed for providing power the power source when the AC
4 power feed is inoperable.

1 18. (New) The system as recited in claim 1, further comprising an
2 electrical conducting medium configured to conduct the electrical supply voltage and the
3 communication data from the optical network node to a the remote user device.

1 19. (New) The system as recited in claim 18, further comprising a
2 network interface device connected between the optical network node and the remote
3 user device.

1 20. (New) The method as recited in claim 14, wherein the step of
2 transferring digital communication data between the telecommunications service provider
3 and a optical network node comprises transferring digital communication data between
4 the telecommunications service provider and an optical network unit (ONU).

1 21. (New) The method as recited in claim 14, wherein the step of
2 transferring digital communication data between the telecommunications service provider
3 and a optical network node comprises transferring digital communication data between

4 the telecommunications service provider and a digital subscriber line access multiplexer
5 (DSLAM).

1 22. (New) The method as recited in claim 14, wherein the step of
2 transmitting power source operation information from the alarm system to the
3 telecommunications service provider comprises transmitting alarm signals to the
4 telecommunications service provider.

1 23. (New) The method as recited in claim 14, wherein the step of
2 transmitting power source operation information from the alarm system to the
3 telecommunications service provider comprises transmitting power level and operational
4 data to the telecommunications service provider.

1 24. (New) The method as recited in claim 14, wherein the step of
2 transmitting an electrical supply voltage from a power source to the optical network node
3 comprises an AC power feed supplying power to the power source during normal
4 operation and a DC power feed supplying power to the power source when the AC power
5 feed is inoperable.

1 25. (New) The method as recited in claim 14, further comprising
2 conducting both the electrical supply voltage and the digital communication data along a
3 single electrical conducting medium from the optical network node to the remote user
4 device.

1 26. (New) The method as recited in claim 25, further comprising
2 network interface device interfacing between the optical network node and the remote
3 user device.